

Article - Education

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§6–506.

(a) The designation of an employee organization as an exclusive representative shall be made as provided in this section.

(b) If an employee organization certifies to the public school employer that it has a membership enrollment of at least 30 percent of the total number of public school employees in a specified unit in a county as of June 1 of the year in which certification is made, this certification is a request for recognition as exclusive representative of all public school employees in the specified unit in the county.

(c) If another employee organization certifies that it has a membership enrollment of at least 10 percent of the total number of public school employees in the unit as of the same June 1, an election shall be held in which the public school employees in the unit shall be offered the opportunity to choose:

(1) One of the employee organizations as the exclusive representative of all public school employees in the unit; or

(2) Not to have exclusive representation.

(d) If no other employee organization certifies that it has a membership enrollment of at least 10 percent of the total number of public school employees in the unit, on the request of the employee organization under subsection (b) of this section, an election shall be held and the ballot shall offer a choice between:

(1) Exclusive representation by the organization; and

(2) Not to have exclusive representation.

(e) The public school employer shall designate the employee organization described in subsection (b) of this section as the exclusive representative of all public school employees in the specified unit in a county if:

(1) No other employee organization certifies that it has a membership enrollment of at least 10 percent of the total number of public school employees in the unit;

(2) The employee organization does not request an election under subsection (d) of this section; and

(3) The employee organization certifies that it has a membership enrollment of the majority of the public school employees in the unit in the county.

(f) (1) The Board shall adopt rules and regulations for:

(i) Verifying the number of public school employees who are members in good standing of an employee organization on the date of the certification or who have signed a petition under this section; and

(ii) Holding elections under this section and the certification of their results.

(2) The Board shall provide for supervision of these elections.

(3) The elections shall be held:

(i) In each school facility where public school employees are assigned on a regularly scheduled school day;

(ii) In a manner assuring the secrecy of the ballot; and

(iii) On a regular working day for public school employees, between June 1 and June 15, inclusive.

(4) In all elections held under this section, the employee organization that receives a majority of the votes cast in a unit shall be declared to be the exclusive representative of all public school employees in the unit. If a majority of the votes in the election are cast not to have exclusive representation, a representative may not be designated for the unit.

(5) The two choices on the ballot that receive the most votes shall be placed on a ballot for a runoff election that shall be held in the same manner as the original election if:

(i) More than one employee organization is on the ballot;

(ii) No employee organization obtains a majority of the votes;
and

(iii) A majority of the votes is not for “not to have exclusive representation”.

(6) The public school employer shall provide any assistance required in conducting the elections.

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